

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

SEAN HAMER, Individually and On Behalf of All Others Similarly Situated,	§	
	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. 1:14-cv-570
	§	JURY TRIAL DEMANDED
SOURCE REFRIGERATION & HVAC, INC.,	§	
	§	
	§	
Defendant.	§	

JOINT STATUS REPORT

After the parties informed the court that they were attending mediation regarding this matter, the court continued all deadlines and motions. (Dkt. 29) The parties attended mediation on November 4, 2014 in San Francisco. The court's order requires the parties to provide a status report.

The parties are pleased to announce that they have reached a tentative settlement regarding all claims in this case as well as the claims in related litigation filed in California and Colorado. The parties' settlement calls for the Plaintiffs to file an Amended Complaint in the California case that would assert the claims pending in this case and the case filed in Colorado. The parties anticipate filing such Amended Complaint in the Galeener case on or before December 16, 2014. Around the same time, Plaintiffs would also file an agreed dismissal of this action pursuant to Rule 41 of the Federal Rules of Civil Procedure. The parties are in the process of drafting the final settlement documents and related motions.

At this time, the parties request that the court enter the attached Order ruling that (1) any scheduled dates or pending motions are continued pending further order of this court and (2)

Plaintiffs shall file their Agreed Notice of Dismissal pursuant to Rule 41 or provide a further status report to the court on or before December 16, 2014.

KENNEDY HODGES, L.L.P.

By: /s/ Galvin B. Kennedy
Galvin B. Kennedy
gkennedy@KennedyHodges.com
Texas State Bar No. 00796870
Federal Bar No. 20791
Gabriel A. Assaad
Gassaad@kennedyhodges.com
State Bar No. 24076189
Federal Bar No. 1374492
711 W. Alabama St.
Houston, TX 77006
Telephone: (713) 523-0001
Facsimile: (713) 523-1116

ATTORNEYS FOR PLAINTIFFS

By: /s/ Courtney Stewart
Courtney Stewart
Texas Bar No. 24042039
courtney.stewart@dlapiper.com
DLA PIPER LLP (US)
401 Congress Avenue, Suite 2500
Austin, Texas 78701-3799
Telephone: 512-457-7000
Facsimile: 512-457-7001

Michael J. Sheehan(pro hac vice)
michael.sheehan@dlapiper.com
DLA PIPER LLP (US)
203 North LaSalle Street, Suite 1900
Chicago, Illinois 60601-1293
Telephone: 312-368-7024
Facsimile: 312-251-5854

Benjamin M. Gipson (pro hac vice)
ben.gipsongdiapiper.com

Katharine J. Liao(pro hac vice)
katharine.liao@dlapiper.com
DLA PIPER LLP (US)
2000 Avenue of the Stars, Suite 400 North
Tower
Los Angeles, California 90067-4704
Telephone: 310-595-3000
Facsimile: 310-595-3300

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

This is to certify that on November 14, 2014 I electronically filed the foregoing instrument using the Western District of Texas's CM/ECF. I also certify that the foregoing instrument is being served on this day to all parties of record via transmission of Notices of Electronic Filing generated by CM/ECF.:

/s/ Galvin B. Kennedy
Galvin B. Kennedy